SIKKIM

GOVERNMENT GAZETTE

EXTRAORDINARY
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LAW DEPARTMENT
GOVERNMENT OF SIKKIM
GANGTOK

No. 18/LD/P/2010 **Dated: 25.09.2010**

NOTIFICATION

The following Act passed by the Sikkim Legislative Assembly and having received the assent of the Governor on 16th day of September, 2010:-

THE SIKKIM PARLIAMENTARY SECRETARIES (APPOINTMENT, SALARIES, ALLOWANCES AND MISCELLANEOUS PROVISIONS) ACT, 2010
(ACT NO. 18 OF 2010)
AN
ACT

to provide for the Appointment, Salaries, Allowances and other Miscellaneous Provisions of the Parliamentary Secretaries in the State of Sikkim.

Be it enacted by the Legislature of Sikkim in this Sixty-first Year of the Republic of India as follows, namely:-

Short title, extent and commencement

1. (1) This Act may be called the Sikkim Parliamentary Secretaries (Appointment, Salaries, Allowances and Miscellaneous Provisions) Act, 2010.

(2) It extends to the whole of Sikkim.

(3) It shall come into force at once.

Definitions

2. In this Act, unless the context otherwise requires:-(a "Chief Minister" means the Chief Minister of Sikkim;(b) "Member" means a Member of the Sikkim Legislative Assembly;(c) "Parliamentary Secretary" means a Political functionary as may be appointed by

the Chief Minister for one or more departments and to assist the disposal of the government business, pertaining thereto, or as may be decided by the Chief Minister.

Appointment of Parliamentary Secretary

3. The Chief Minister may, having regard to the circumstances and the need of the situation, at any time appoint such number of Parliamentary Secretaries and assign to each of them such duties and functions as he may deem fit and proper.

Rank, status, powers and functions of Parliamentary Secretary

4. The Parliamentary Secretary shall be of the rank and status of a Minister of State and shall exercise such powers, discharge such functions and perform such duties as may be assigned to him by the Chief Minister, by way of a notification published in the Official Gazette.

Functions and duties of Parliamentary Secretary

5. The functions and duties of Parliamentary Secretary shall be such as may be specified by the Chief Minister from time to time.

Oath of office and Secrecy

6. The Parliamentary Secretary shall, before entering upon his office, take an oath of office and secrecy as per Schedule 'A' to the Act, to be administered by the Chief Minister.

Salary and allowances of Parliamentary Secretary

7. The Parliamentary Secretary shall be entitled to such salary and allowances as are admissible to a Minister of State under the Sikkim Ministers, Speaker, Deputy Speaker and Members of Sikkim Legislative Assembly (Salaries and Allowances) Act, 1977 as amended from time to time.

Parliamentary Secretary not to draw salary and allowances as Member

8. Notwithstanding anything contained in any other law for the time being in force, a Parliamentary Secretary shall not, while he draws, salary and allowances for his office as such Parliamentary Secretary, be entitled to any salary or allowances as a Member of the Sikkim Legislative Assembly.

Parliamentary Secretary not to practice profession etc.

9. The Parliamentary Secretary shall not, during his office as such Parliamentary Secretary practice any other profession or engage in any trade or commerce and undertake for remuneration any employment other than his duties as such Parliamentary Secretary.

Residuary matters

10. All other conditions of service of a Parliamentary Secretary shall be governed by the Sikkim Ministers, Speaker, Deputy Speaker and Members of Sikkim Legislative Assembly (Salaries and Allowances) Act, 1977as amended from time to time.

SCHEDULE 'A'

FORM OF OATH OF OFFICE AND SECRECY FOR A PARLIAMENTARY SECRETARY

'I,.....do swear in the name of God that I will bear true faith and allegiance the Constitution of India as by law established, [that / will uphold the sovereignty and integrity of India,] that I will faithfully and conscientiously discharge my duties as a Parliamentary Secretary of..... and that I will do right to all manner of people in accordance with the Constitution and the law without fear or favour, affection or ill-will.

I, ...do. swear in the name of God that I will not directly or indirectly communicate of reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as a Parliamentary Secretary of..... except as may required for the due discharge of my duties as such Parliamentary Secretary.'

Sd/-

PARLIAMENTARY SECRETARY

To be administered by.

R.K. Purkayastha, SSJS
L.R.-cum-Secretary,
Law & Parliamentary Affairs Department.
File No. 16 (82) LD/P/2010